

Mayor David A. Condon

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OFFICE OF THE
EXECUTIVE SECRETARIAT

March 23, 2017

Donald Benton, Senior White House Adviser for the EPA Transition
Doug Ericksen, Communications Director for the EPA Transition
USEPA Headquarters
William Jefferson Clinton Building
1200 Pennsylvania Ave., NW
Mail Code: 1101A
Washington, DC 20460

Dear Mr. Benton and Mr. Ericksen:

Thank you for your quick response to my February 7, 2017, letter and for facilitating a meeting between the City of Spokane (City) and with Environmental Protection Agency (EPA) staff from the national headquarters and Region 10 about the EPA-generated Water Quality Standards for Protecting Human Health for Washington state. We appreciate your responsiveness.

We did, however, find our discussion with EPA staff to be mostly unproductive. We appreciated the staff taking time to talk, and to their credit, they were attentive, professional, and left the door open for continued discussions. Nonetheless, they were generally unwilling to engage into a dialogue as to how the rule could be reevaluated or revised. At the same time, staff acknowledged the rule was "aspirational," unattainable, and that it might be "hard to justify" spending additional money beyond the hundreds of millions of dollars the City of Spokane is already spending on surface water quality. We were effectively told that the EPA rule was science-based and final.

Rather than discuss the rule's shortcomings, EPA staff wanted to discuss the use of variances and other, as-yet undefined, implementation tools. With each 5-year permit cycle, the City apparently would be able to negotiate a variance from the final standards with its own compliance schedule—as the City works toward the "aspirational" final standards. Staff told us that such approaches have only recently been changed to allow for this kind of use; we are trying to find examples.

Regardless, variances and long compliance schedules leave my community with considerable uncertainty and risk—the possibility of third-party lawsuits; undefined, long-term financial exposure; and a potential impact to our municipal credit rating because of that undefined obligation. Not only are these risks completely unacceptable, we can't discern any measurable public and environmental health benefits of the EPA rule over a version of the rule proposed by the Washington State Department of Ecology (Ecology).

The City of Choice

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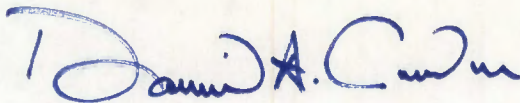
Local government needs a solution that is affordable, achievable, and measurable. That's why we strongly supported Ecology's reasonable, science-based approach to meeting water quality standards—an approach that considers affordability for our citizens, available technology, and achievable timelines. The Ecology proposal includes standards that are challenging, but achievable. For these reasons, we also support the proposed HR 465 on integrated planning, along with the U.S. Conference of Mayors.

I continue to highlight and consider the financial health of my citizens; the cost of implementing this rule will impact those who can least afford it the most. In 2015, Spokane's median household income (MHI) was \$44,350, considerably lower than the City of Seattle's MHI of \$75,331, the state's MHI of \$64,129, and the U.S.'s MHI of \$55,775.

We need to insert some common sense into this kind of rulemaking, rather than bankrupting local governments that are responsible for the most basic of government services. We are investing significantly in the health of our river and our environment, but we cannot chase unattainable goals at any cost. There are far too many priorities for the precious dollars our citizens provide. We respectfully request your assistance as we seek a reconsideration of the water quality standards for Washington state.

I expect to be in Washington, D.C., later this spring. I would like to request a time to meet with one or both of you in person while I am there. I have asked my office to reach out to try to find a time that would work on both of our calendars.

Sincerely,

A handwritten signature in blue ink, appearing to read "David A. Condon". The signature is stylized with a large initial "D" and a cursive "A".

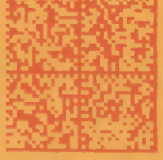
David A. Condon
Mayor

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